

Case 2:10-cv-10978-PJD-MJH

FILED

2010 OCT 15 A 10:56

UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

U.S. DIST. COURT CLERK  
EAST DIST. MICH  
FLINT

AMERICAN UNIVERSITY OF ANTIGUA,  
COLLEGE OF MEDICINE, a foreign corporation,

Plaintiff,

V

CASE No.: 2:10-cv-10978-PJD-MJH  
Judge Patrick J. Duggan  
Magistrate Judge

STEVEN WOODWARD,

Defendant,

**Defendant's amendments to Document 10 "Response to Motion" filed 04/16/2010;  
sent to the court and plaintiff via email 04/15/2010, first sentence "Attached is my  
rebuttal to the plaintiff's claims"**

to

**"DEFENDANT'S ANSWER and AFFIRMATIVE DEFENSES TO PLAINTIFF'S  
COMPLAINT"**

**Defendant's amendment to Document 10 "Response to Motion" filed 04/16/2010; sent to the court and plaintiff via email 04/15/2010, first sentence "Attached is my rebuttal to the plaintiff's claims"**

to

**"DEFENDANT'S ANSWER and AFFIRMATIVE DEFENSES TO PLAINTIFF'S COMPLAINT"**

The Dendant's ANSWER to Plaintiff's Complaint as follows:

1. The Defendant can neither admit nor deny claim 1, lacking sufficient information or knowledge.
2. The Defendant can neither admit nor deny claim 2, lacking sufficient information or knowledge of the tense "Michigan hospitals".
3. Defendant deny claim 3, the defendant is transient and at the time of filing Docket 1 was living overseas.
4. The Defendant admit ownership and publication on domain name aua-med.com and derivative publications.  
The Defendant deny "false and defamatory information about AUA".

The Plaintiff disclosed student information.

The Defendant deny any infringement concerning the Plaintiff.

5. The Defendant deny that they owe the Plaintiff anything, including but not limited to, fees, costs or interest.
6. The Defendant can neither admit nor deny court jurisdiction or diversity of citizenship. The Defendant voluntarily at their own expense and hardship traveled from overseas to defend the FREEDOM OF SPEECH, which is guaranteed by the UNITED STATES CONSTITUTION and other Civil Rights Laws.
7. The Defendant can neither admit nor deny for lack of knowledge, other than that they were born in Michigan, and did attend a clinical rotation which lasted from approximately September through December, 2007 in Michigan. The Defendant lived for approximately three years overseas prior to the clinical rotation in Michigan and in Colorado approximately fourteen years prior to going overseas. The exception is travel to Michigan regarding a legal case filed in Oakland County Circuit Court, Case No 07-088103-CZ.

**General Allegations**

The Defendant incorporates by reference their answers to paragraphs 1 through 7 of the Complaint set forth above.

**8.** The Defendant can neither admit nor deny this claim for lack of knowledge.

**9.** The Defendant can neither admit nor deny that the Plaintiff regularly places and directs students in clinical education in association with Michigan hospitals. The Defendant believes they were enrolled in the first 5<sup>th</sup> Semester clinical rotation at St Joseph Mercy Oakland Hospital.

**10.** Admitted

**11.** The Defendant can neither admit nor deny this statement. The Defendant maintains they were wrongfully dismissed from AUA. The Defendant admit that they were unable to complete their degree.

**12.** Admitted

**13.** The Defendant deny as untrue. The Defendant's lawsuit was filed on or about **December 20, 2007**, but the Defendant was not dismissed until on or about **May 21, 2008**.

**14.** Admitted

**15.** The Defendant can neither admit nor deny since the case is in Michigan Court of Appeals and is known as COA Case Number: 292172.

**16.** The Defendant can neither admit nor deny since the case is in Michigan Court of Appeals and is known as COA Case Number: 292172.

**17.** The Defendant deny as untrue. The Defendant admit that the contents published under domain, aua-med.com, are opinions and factual to the best of their knowledge. The Defendant admit to have registered and internet domain name of aua-med.com.

**18.** The Defendant can neither admit nor deny for lack of information. The Defendant admit to have registered their domain, aua-med.com, on or about 04/01/2009 per the internet whois results of public records and that according to the same search application auamed.org was created on or about 09/04/2003.

**19.** The Defendant deny as untrue. The Defendant can not admit or deny the Plaintiff's ownership of auamed.org. The Defendant deny the Exhibit 1 as a complete and accurate copy of the Plaintiff's homepage.

20. The Defendant deny that Exhibit 2 is a complete and accurate copy of the domain aua-med.com homepage.

21. The Defendant deny as untrue. The Defendant maintains that the content published on aua-med.com is true to the best of their knowledge or is of their own opinion:

- a) The Defendant admit that AUA routinely commits fraud upon its students;
- b) The Defendant admit that AUA falsifies its student grades;
- c) The Defendant admit that AUA breaches contracts;
- d) The Defendant admit that AUA disregards student civil rights;
- e) The Defendant admit that AUA conspired against its students;
- f) The Defendant deny as untrue. The Defendant admit that in their opinion some AUA faculty are unethical;
- g) The Defendant deny as untrue. The Defendant admit that in their opinion some of AUA and St Joseph Mercy Oakland Hospital's faculty and staff act with malicious intentions and that some of AUA and St Joseph Mercy Oakland Hospital's faculty and staff are heinous;
- h) The Defendant deny as untrue. The Defendant admit to publishing information, that was published in an Antiguan Online Newspaper, about one AUA student that was sexually assaulted;
- i) The Defendant admit that AUA professors teach students wrong information;
- j) The Defendant deny as untrue. The Defendant admit that AUA conspires to commit fraud. The Defendant admits that AUA violates and disregards civil rights.
- k) The Defendant admit to reporting AUA to the FBI.
- l) The Defendant deny as untrue. The Defendant admit to publishing that "Antigua only has a 22.9% USMLE Pass Rate".
- m) The Defendant deny as untrue. The Defendant admits that AUA contrives false evidence used for committee meetings.
- n) The Defendant deny as untrue.

The Defendant admit that some faculty and staff of AUA and St Joseph Mercy Oakland Hospital colluded to maliciously end their career.

The Defendant admit that some faculty and staff of AUA and St Joseph Mercy Oakland Hospital conspired to end their career.

The Defendant admit that perjury was committed by some faculty and employees of AUA and St Joseph Mercy Oakland Hospital.

The Defendant admit that in their opinion, some of the AUA and St Joseph Mercy Oakland Hospital faculty and staff abuse their power.

The Defendant admit that in their opinion some AUA and St Joseph Mercy Oakland Hospital staff and faculty are immoral and unethical.

o) The Defense admit that some of AUA agents are liars.

p) The Defense deny as untrue. The Defense merely republishes public domain articles and information concerning Antigua.

22. The Defendant can neither admit or deny this statement since it is vague.

22. The Defendant deny that any harm or injury to AUA's reputation was caused by the Defendant.

23. The Defendant deny as untrue. The Plaintiff released the student information.

The Plaintiff's own **CLAIM 51** states the adequate remedy at law for their disclosure of student information.

The Defendant notified the Department of Education and published the information to ensure the students are aware of the disclosure of private information by the Plaintiff.

24. The Defendant deny as untrue. The Defendant requests that the Plaintiff should not be granted any restraining order or prohibit any information published by the Defendant. The Defendant maintains that the Plaintiff has no grounds for prohibiting the Defendant's domain name from use.

25. The Defendant deny as untrue. The Defendant contends that the Plaintiff did not perform a reasonable and diligent search to locate the Defendant and that the Plaintiff had knowledge of multiple means of contacting the Defendant. The Defendant deny any, including but not limited to, injury to the Plaintiff.

26. The Defendant deny the merit or foundational grounds for which the Plaintiff can seek any restraining order against the Defendant.

**COUNT I- FEDERAL TRADEMARK/TRADENAME INFRINGEMENT**

27. The Defendant incorporates and restates its answers to paragraph 1 through 26.
28. The Defendant admit to publishing information under domain aua-med.com
29. The Defendant deny as untrue. The Defendant can neither admit or deny that the Plaintiff publishes to or even owns auamed.org. The Defendant admit to have registered their domain, aua-med.com, on or about 04/01/2009 per the internet whois results of public records and that according to the same search application auamed.org was created on or about 09/04/2003.
30. The Defendant deny as untrue.
31. The Defendant deny as untrue.
32. The Defendant deny as untrue.
33. The Defendant deny any harm to the Plaintiff's tradename and trademarks.
34. The Defendant deny as untrue.
35. The Defendant can neither admit nor deny this statement for lack of information.
36. The Defendant deny as untrue.
37. The Defendant deny as untrue.
38. The Defendant deny as untrue.
39. The Defendant deny the merit the Plaintiff has to request any injunctions or actions toward the Defendant. The Defendant deny that they caused any damages to the Plaintiff. The Defendant deny that they owe the Plaintiff anything, including but not limited to, damages, remedies, costs, or fees.

**COUNT II – INFRINGEMENT UNDER THE ACPA**

40. The Defendant incorporates and restates its answers to paragraph 1 through 39.
41. The Defendant deny as untrue.
42. The defendant deny as untrue. The Defendant admit to have registered their domain, aua-med.com, on or about 04/01/2009 per the internet whois results of public records and that according to the same search application auamed.org was created on or about 09/04/2003.

43. The Defendant can neither admit nor deny for lack of information.

44. The Defendant deny as untrue.

45. The Defendant deny as untrue. The Defendant deny that the Plaintiff has merit or foundation for any judgment against the Defendant. The Defendant deny the they owe the Plaintiff anything, including but not limited to, costs, interest, or fees.

### **COUNT III – WILLFUL VIOLATION OF FERPA**

46. The Defendant incorporates and restates its answers to paragraph 1 though 45.

47. The Defendant deny as untrue. The Plaintiff disclosed student information. The Defendant uses their website to communicate this to the Department of Education and students concerning the Plaintiff disclosure of information.

48. The Defendant deny as untrue. The Plaintiff disclosed and published student information.

49. The Defendant can neither admit or deny. The Plaintiff disclosed the student information, but makes reference in their “Student Handbook” that they follow the guidelines of the UNITED STATES FAMILY EDUCATION RIGHTS AND PRIVACY ACT(FERPA).

The Defendant can not admit or deny laws concerning disclosure of private student information on Antigua for lack or information.

50. The Defendant deny as untrue. The Plaintiff admits in **CLAIM 51** the consequences to their actions for disclosing student information.

51. The Defendant deny as untrue.

The Plaintiff should be held responsible for disclosing student information.

The Defendant deny any action for which they would owe the Plaintiff anything, including but not limited to, judgment, monetary relief, costs, interest, or attorney fees.

**The Plaintiff filed this frivolous lawsuit against the Defendant instead of acknowledging and resolving their own problems concerning the disclosure of student information.**

**This lawsuit is an attempt by the Plaintiff to COVER-UP their own faults.**

**COUNT IV -DEFAMATION**

52. The Defendant incorporates and restates its answers to paragraph 1 through 51.

53. The Defendant deny as untrue.

54. The Defendant deny as untrue. The Defendant uses direct words, narrated video clips, weblinks and "YOUTUBE" videos of his making which are true and factual to the best of his knowledge or opinion:

- a) The Defendant admit that AUA routinely commits fraud upon its students;
- b) The Defendant admit that AUA falsifies its student grades;
- c) The Defendant admit that AUA breaches contracts;
- d) The Defendant admit that AUA disregards student civil rights;
- e) The Defendant admit that AUA conspired against its students;
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n) The Defendant deny as untrue.

The Defendant admit that some faculty and staff of AUA and St Joseph Mercy Oakland Hospital colluded to maliciously end their career.

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o) The Defense admit that some of AUA agents are liars.

p) The Defense deny as untrue. The Defense merely republishes public domain articles and information concerning Antigua.

55. The Defendant deny as untrue.

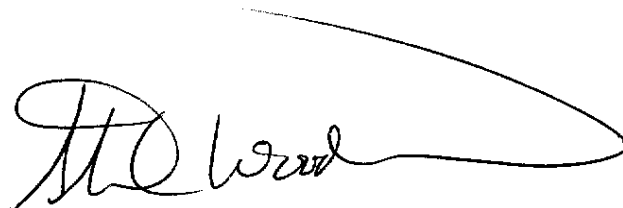
56. The Defendant deny as untrue.

57. The Defendant deny as untrue.

58. The Defendant deny any damages to the Plaintiff's reputation.

The Defendant deny that they owe the Plaintiff anything, including but not limited to, damages for costs, interest, or fees.

The Defendant deny any action requiring judgment and maintains their innocents in these matters.

A handwritten signature in black ink, appearing to read "H. Q. Wood". The signature is fluid and cursive, with a long horizontal stroke extending to the right.